

24-5588

No. \_\_\_\_\_

FILED

JUL 05 2024

OFFICE OF THE CLERK  
SUPREME COURT U.S.

IN THE  
SUPREME COURT OF THE UNITED STATES

ORIGINAL

DEVEN SMITH — PETITIONER  
(Your Name)

VS.

UNITED STATES OF AMERICA — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

U.S. District Court, Northern District of Ohio, Eastern Division

U.S. Court of Appeals for the Sixth Circuit

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: \_\_\_\_\_  
\_\_\_\_\_, or

a copy of the order of appointment is appended.

Deven Smith

(Signature)

RECEIVED

SEP 16 2024

OFFICE OF THE CLERK  
SUPREME COURT U.S.

**AFFADAVIT OR DECLARATION**  
**IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Deven Smith am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am Unable to pay the costs of this case or to give security therefor and I believe I am entitled to redress

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months/. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is the amounts before any deductions for taxes or otherwise

Income source		Average amount for the past 12 months		Amount Expected next month
	You	Your Spouse	You	Your spouse
Employment	\$ 0	\$	\$ 0	\$
Self-Employment	\$ 0	\$	\$ 0	\$
Income from Real Property	\$ 0	\$	\$ 0	\$
Interest and Dividends	\$ 0	\$	\$ 0	\$
Gifts	\$ 0	\$	\$ 0	\$
Alimony	\$ 0	\$	\$ 0	\$
Child Support	\$ 0	\$	\$ 0	\$
Retirement	\$ 0	\$	\$ 0	\$
Disability	\$ 0	\$	\$ 0	\$
Unemployment	\$ 0	\$	\$ 0	\$
Public assistance (Such as welfare)	\$ 0	\$	\$ 0	\$
Other State Pay	\$ 18.00	\$	\$ 18.00	\$
Total monthly income	\$ 18.00	\$	\$ 18.00	\$

2. List your employment for the past two years most recent first.

Employer	Address	Date of Employment	Gross monthly pay
Incarcerated			\$ 18.00
			\$
			\$

3. List your spouse's employment history for the past two years most recent first.

Employer	Address	Date of Employment	Gross monthly pay
Incarcerated			\$ 18.00
			\$
			\$

4. How much cash do you and your spouse have? \$ 0.00

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of Account	Amount you have	Amount your spouse has
N/A	\$	\$
	\$	\$
	\$	\$

5. List the assets and their values which you own or your spouse owns. Do not list clothing and ordinary household furnishings

Home  
Value \_\_\_\_\_

Other real estate  
Value \_\_\_\_\_

Motor Vehicle #1  
Year Make and Model \_\_\_\_\_  
Value \_\_\_\_\_

Motor Vehicle #2  
Year, make model \_\_\_\_\_  
Value \_\_\_\_\_

Other assets  
Description \_\_\_\_\_  
Value \_\_\_\_\_

6. State every person, business, or organization owing you or your spouse money

Person owing you or your spouse	Amount owed to you	Amount owed to your spouse
N/A	\$	\$
	\$	\$
	\$	\$

7. State the persons who rely on your or your spouse for support (For minor children, list initials instead of names)

Name	Relationship	Age
N/A		

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate

	You	Your Spouse
Rent or Mortgage payment (include lot rented for mobile home)	\$ 0	\$ _____
Are real estate taxes included? <input type="checkbox"/> yes <input type="checkbox"/> no		
Is property insurance included? <input type="checkbox"/> yes <input type="checkbox"/> no		
Utilities (electricity, heating fuel water sewer and phone)	\$ 0	\$ _____
Home maintenance (repair upkeep)	\$ 0	\$ _____
Food	\$ 0	\$ _____
Clothing	\$ 0	\$ _____
Laundry and dry- cleaning	\$ 0	\$ _____
Medical and Dental expenses	\$ 0	\$ _____
Transportation (not including motor vehicle payments)	\$ 0	\$ _____
Recreation entertainment, newspapers magazines etc.	\$ 0	\$ _____
Insurance (not deducted from wages or included in mortgage payments)	\$ 0	\$ _____
Homeowner's or renter's	\$ 0	\$ _____
Life	\$ 0	\$ _____
Health	\$ 0	\$ _____
Motor Vehicle	\$ 0	\$ _____
Other _____	\$ 0	\$ _____
Credit Card(s)	\$ 0	\$ _____
Department Store(s)	\$ 0	\$ _____
Other _____	\$ 0	\$ _____
Alimony maintenance and support paid to others	\$ 0	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)		
Other _____	\$ 0	\$ _____
Total monthly Expenses	\$ 0	\$ _____

9. Do expect any major changes to your monthly income. Expenses, assets, or liabilities, in the next 12 months?

yes  no (If yes please describe on an attached sheet)

10. Have you paid-or will you be paying-an attorney any money for services in connection to this case, including the completion of this form?  yes  no

If yes, How much? \_\_\_\_\_

If yes state, the attorneys name address and phone number:

11. Have you paid or will you be paying anyone other than an attorney (such as a paralegal or a typist) any money services in connection to this case, including the completion of this form?  
 yes  no

If yes, How much? \_\_\_\_\_

If yes state, the attorneys name address and phone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.  
I declare under penalty of perjury that the forgoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct

Executed on August 20, 2024

Deven Smith

Signature

Deven Smith #A800-268  
Lake Erie Correctional Institution  
P.O. Box 8000  
Conneaut, OH 44030

August 26, 2024

Office of the Clerk  
Supreme Court of the United States  
Washington, D.C. 20543-0001

RE: *United States of America v. Deven Smith*  
USAP6 No. 23-34-96

Dear Clerk:

Enclosed please find the undersigned's *Petition for Writ of Certiorari, Motion for Leave to Proceed In Forma Pauperis*, and *Proof of Service*. Copies of each was mailed to the Office of the U.S. Attorney on the above date.

Please file the foregoing documents, and then cause a time-stamped copy to be returned to the undersigned.

Thank you for your assistance.

Sincerely,

*Deven Smith*  
Deven Smith  
Petitioner-Appellant, *pro se*

Enclosures

